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EXAMINER

HO, THOMAS Y

ART UNIT PAPER NUMBER

3677

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,392

Applicant(s)

HICKS ET AL.

Examiner

Thomas Y Ho

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 3677

DETAILED ACTION

Claims 24-45 are pending.

Claim Objections

Claims 24, 32-33, 35, 39, and 45 are objected to because of the following informalities: as to claim 24, in section A, the second appearance of the phrase “a lanyard substrate” should be changed to --the lanyard substrate--, and in section B, the second and third appearances of the phrase “an attachment” should be changed to --the attachment--; as to claim 32, in section A, the second appearance of the phrase “a lanyard substrate” should be changed to --the lanyard substrate--; as to claim 33, in the second paragraph, the second appearance of the phrase “a lanyard substrate” should be changed to --the lanyard substrate--; as to claim 35, the first appearance of the phrase “the first and second protuberances” should be changed to --a first and a second protuberance from the plurality of protuberances-- or any consistent phrase of the like; as to claim 39 (which depends from claim 37), it appears that claim 42 (also depending from claim 37) is identical to claim 39 and so claim 39 is unnecessary; as to claim 45, the appearance of the phrase “the elongate member” should be changed to --an elongate member-- because no elongate member was previously mentioned in any claim from which claim 45 depends.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3677

Claims 24-45 rejected under 35 U.S.C. 102(b) as being anticipated by US5471716.

As to claim 24, Takahashi discloses, a multi-part lanyard connector that couples to a lanyard substrate and selectively couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body comprising: a first body portion 11 that is configured to couple to a lanyard substrate 2 (see Figure 2), the first portion having a proximal portion and a distal portion (see Figure 1 below), wherein the proximal portion of the first portion is configured to couple to a lanyard substrate (see Figure 2); and a second body portion 13 that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion and a distal portion (see Figure 1), the proximal portion of the second body portion selectively coupling to the distal portion of the first body portion; and (B) a neck 20 (see Figures 3-4) extending distally from the distal portion of the first body portion 11, a distal portion of the neck 20 (see Figure 3 below) being configured to be disposed within and couple to a portion 16,17 of an attachment 14,16,17 to thereby form a lanyard system, such that a user can selectively detach the first body portion 11 from the second body portion 13 and can selectively detach an attachment from the distally extending neck 20. The limitation “can selectively...neck” is functional language and holds little patentable weight. The structure that allows the selective detachment is simply disclosed as a neck, and Takahashi clearly shows a neck 20.

Art Unit: 3677

As to claim 28, Takahashi discloses,, wherein the distally extending neck 20 comprises a split neck.

As to claim 29, Takahashi discloses, wherein the distally extending neck 20 comprises a split neck having first and second opposing tapering portions 29,29 configured such that the tapering portions contact a portion 16,17 of an attachment 14 when the attachment is mounted thereon.

As to claim 30, Takahashi discloses, wherein the distally extending neck 20 engages the attachment 14,16,17 in a snap-fitting relationship.

As to claim 31, Takahashi discloses, wherein the neck 20 comprises a split neck comprising opposing right 26,26 and left 26,26 neck members, each neck member comprising a thinner proximal member and a distal, wider skirt member 29, wherein the proximal members collectively form a proximal portion having a substantially circular cross section (see Figure 9) and the skirt members collectively form a skirt portion which tapers proximally, widening as they proceed toward the lanyard connector body (see Figure 3).

As to claim 32, Takahashi discloses a multi-part lanyard connector that couples to a lanyard substrate and selectively couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body comprising a first body portion 11 that is configured to couple to a lanyard substrate 2 (see Figure 2), the first portion having a proximal portion and a distal portion (see Figure 1), wherein the proximal portion of the first portion is configured to couple to a lanyard substrate 2; and a second body portion 13 that is configured to be selectively disengaged from the first body portion, the second body portion

Art Unit: 3677

having a proximal portion and a distal portion (see Figure 1), the proximal portion of the second body portion selectively coupling to the distal portion of the first body portion; and (B) a split neck 20 extending distally from the distal portion of the first body portion, at distal portion of the neck (see Figure 3) being configured to be selectively disposed within and couple to a portion 16,17 of an attachment 14,16,17 in a snap-fitting, rotating engagement, to thereby form a lanyard system, the split neck having first 26,26 and second 26,26 opposing tapering portions 29 configured such that the tapering portions contact a portion 16,17 of an attachment 14 when the attachment is mounted thereon, such that a user can selectively detach the first body portion 11 from the second body portion 13 and can selectively detach an attachment from the distally extending neck. The limitation “and can selectively...neck” holds little weight because it is functional language that fails to further define the structure that achieves the function. The claim only calls for a split neck, which is clearly shown by Takahashi.

As to claim 33, Takahashi discloses a multi-part lanyard connector that couples to a lanyard substrate and selectively couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: a female buckle portion 11 that is configured to couple to a lanyard substrate 2, the female buckle portion having a proximal portion and a distal portion (see Figure 1 above), wherein the proximal portion of the female buckle portion is configured to couple to a lanyard substrate 2; a dual male buckle portion 13 that is configured to be selectively disengaged from the female buckle portion; the dual male buckle portion having: (i) a proximal portion and a distal portion (see Figure 1), the proximal portion of the dual male buckle portion comprising a plurality of protuberances 23,31,22 that selectively couple to the distal portion of

Art Unit: 3677

the female buckle portion 11; and (ii) a distally extending split neck 20 extending from an opposing side of the dual male buckle portion 13, the neck being configured to be disposed within and couple to a portion 16,17 of an attachment 14,16,17 in a snap-fitting, rotating engaging with the attachment, wherein the neck comprises a split neck comprising opposing right 26,26 and left 26,26 neck members, each neck member comprising a thinner proximal member and a distal, wider skirt member 29, the skirt members tapering and widening proximally, such that an attachment 14,16,17 can be selectively, snap fit onto the split neck in rotating engagement with the split neck and such that a user can selectively detach the male buckle portion from the female buckle portion and can selectively detach an attachment from the distally extending neck. The limitation “and can selectively...neck” holds little weight because it is functional language that fails to further define the structure that achieves the function. The claim only calls for a split neck, which is clearly shown by Takahashi.

As to claim 34, Takahashi discloses, wherein the male and female buckle portions are configured to be nonrotatably coupled to each other. Takahashi clearly shows that the male and female buckle portions are rotatably coupled (see Figure 2) in a manner that allows the male portion 13 to rotate about an axis through the center of the element 22. However, the male portion 13 is unable to rotate about its own longitudinal axis when mounted in female portion 11, and because of this, 11 and 13 are nonrotatably coupled in the manner described.

As to claim 35, Takahashi discloses, wherein the first 23 and second 23 protuberances each have a proximal end and a distal end (see Figure 1 above), the proximal end of each protuberance entering a respective recess in the female buckle portion 11 when the male buckle portion 13 is coupled to the female buckle portion, and wherein each protuberance includes a

Art Unit: 3677

distally facing notched portion (notches in 23) located between a respective proximal and distal end of each respective protuberance. When the male buckle portion 13 is inserted into the female buckle portion 11, the central portion 13b of the male buckle portion 13 divides the cavity 32 of the female buckle portion into left and right recesses. Therefore, "when the male buckle portion is coupled to the female buckle portion", the protuberances 23,23 extend into the left and right recesses.

As to claim 36, Takahashi discloses, wherein the distal ends of the protuberances 23,23 extend from opposing right and left proximal surfaces of an elongate member 13a (see Figure 1).

As to claim 37, Takahashi discloses, a lanyard comprising: a lanyard substrate 1,2 (see Figure 2); and a multi-part lanyard connector 11,13 that couples to the lanyard substrate and selectively couples to an attachment 14,16,17 to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body comprising: a first body portion 11 coupled to the lanyard substrate 2 (see Figure 2), the first portion having a proximal portion and a distal portion (see Figure 1 above), wherein the proximal portion of the first portion couples to the lanyard substrate 2; and a second body portion 13 that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion and a distal portion (see Figure 1), the proximal portion of the second body portion selectively coupling to the distal portion of the first body portion; and (B) a neck 20 extending distally from the distal portion of the first body portion, a distal portion of the neck (see Figure 3 above) being configured to be disposed within and couple to a portion 16,17 of an attachment 14,16,17 to thereby form a lanyard system, such that a user can selectively detach the first body portion from

Art Unit: 3677

the second body portion and can selectively detach an attachment from the distally extending neck. The limitation “and can selectively...neck” holds little weight because it is functional language that fails to further define the structure that achieves the function. The claim only calls for a split neck, which is clearly shown by Takahashi.

As to claim 38, Takahashi discloses, wherein the neck 20 comprises a split neck.

As to claim 39, Takahashi discloses, wherein the distal portion (see Figure 1 above) of the first body portion 11 comprises a female portion and the proximal portion of the second body portion 13 comprises a male portion, the male portion selectively buckling into the female portion.

As to claim 40, Takahashi discloses, wherein the distally extending neck 20 comprises a split neck having first 26,26 and second 26,26 opposing tapering portions 29 configured such that the tapering portions contact a portion 16,17 of an attachment 14,16,17 when the attachment is mounted thereon, wherein the distally extending neck 20 engages the attachment in a snap-fitting, rotating relationship.

As to claim 41, Takahashi discloses, wherein the first body portion 11 selectively buckles onto the second body portion 13.

As to claim 42, Takahashi discloses, wherein the distal portion (see Figure 1 above) of the first body portion 11 comprises a female portion and the proximal portion of the second body portion 13 comprises a male portion 22, the male portion selectively buckling into the female portion.

As to claim 43, Takahashi discloses, wherein the male 13 and female 11 buckle portions are configured to be nonrotatably coupled to each other. Takahashi clearly shows that the male

Art Unit: 3677

and female buckle portions are rotatably coupled (see Figure 2) in a manner that allows the male portion 13 to rotate about an axis through the center of the element 22. However, the male portion 13 is unable to rotate about its own longitudinal axis when mounted in female portion 11, and because of this, 11 and 13 are nonrotatably coupled in the manner described.

As to claim 44, Takahashi discloses, wherein the first 23 and second 23 protuberances each have a proximal end and a distal end (see Figure 1 above), the proximal end of each protuberance entering a respective recess in the female buckle portion 11 when the male buckle portion 13 is coupled to the female buckle portion, and wherein each protuberance includes a distally facing notched portion located between a respective proximal and distal end of each respective protuberance. When the male buckle portion 13 is inserted into the female buckle portion 11, the central portion 13b of the male buckle portion 13 divides the cavity 32 of the female buckle portion into left and right recesses. Therefore, "when the male buckle portion is coupled to the female buckle portion", the protuberances 23,23 extend into the left and right recesses.

As to claim 45, Takahashi discloses, wherein the distal ends (see Figure 1 above) of the protuberances 23,23 extend from opposing right and left proximal surfaces of the elongate member 13a.

Response to Arguments

Applicant's arguments with respect to claims 24-45 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 3677

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US5127137 to Krauss discloses a snap hook assembly having a split neck.

US5146657 to Frano discloses a swivel snap hook connector having a split connection portion.

US5148582 to Dennis discloses a quick release cord strap system.

US5274887 to Fudaki discloses a swivel hook assembly.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y Ho whose telephone number is (703)305-4556. The examiner can normally be reached on M-F 10:00AM-6:00PM.

Art Unit: 3677

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J Swann can be reached on (703)306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-1113.

TYH


J. J. SWANN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600